



# SAM Enforcement

- ◆ Philosophy
- ◆ Available enforcement regimes
- ◆ SAM enforcement program implementation
- ◆ County Counsel participation
- ◆ Priorities



# Enforcement philosophy

- ◆ Compliance is the priority
- ◆ Provide notice and provide assistance
- ◆ Provide an opportunity to comply
- ◆ Enforce to level the playing field
- ◆ Enforce to deter non-compliance
- ◆ Enforce to punish bad actors



# Available enforcement tools

- ◆ Notices and orders
- ◆ Post-order “County” enforcement
  - Administrative
  - Civil
- ◆ Referrals
  - Prosecutors
  - RWQCB
- ◆ Permit revocation
- ◆ Fund eligibility consequences



# Notices and Orders

- ◆ Late notice
- ◆ Second notice and opportunity for conference
- ◆ Office conference (with County Counsel)
- ◆ Order for corrective action



# Post-order County Enforcement

- ◆ Evaluation by County Counsel
- ◆ Section 68.1012 Administrative Penalties
  - \$5,000 to \$10,000/day maximums
  - Extensive due process and appeal rights
- ◆ Section 18.101 Administrative Penalties
  - \$100, \$250, \$500 per day
  - Streamlined process



# Referrals/other

- ◆ Prosecutors
  - Regional task force
  - Criminal / civil
- ◆ RWQCB referrals
- ◆ Permit revocations
- ◆ Fund eligibility consequences



# Program implementation

- ◆ SAM “Guidelines for securing compliance”
- ◆ Hearing officer in place
- ◆ Consultations with counsel
- ◆ Setting priorities / working up targets



# Priority Cases

- ◆ Sensitive locations
- ◆ Significant or unknown potential risks
- ◆ Lack of response to SAM guidance
- ◆ Recurring incomplete responses
- ◆ Patterns of non-compliance